

REMARKS

In response to the Office Action dated March 24, 2008, Applicant respectfully requests reconsideration based on the above amendment and following remarks. Applicant respectfully submits that the claims as presented are in condition for allowance.

Claims 6-10, 12, 13, and 17-22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rydbeck in view of Dutta. This rejection is traversed for the following reasons.

Claim 6 recites, *inter alia*, “if the hold function is enabled, automatically answering the call if the call corresponds to the one or more parameters of the hold function and placing the call on hold, the automatically answering the call and placing the call on hold being performed without input from the called party at the time of the call.” Rydbeck is relied upon for placing calls on hold based on a meeting schedule, but fails to teach this aspect of claim 6. Rydbeck teaches that users of portable communications devices desire to handle incoming calls in an individual manner depending on the source of the call (see Abstract, column 2, lines 4-14). Therefore, Rydbeck teaches presenting screen display 92 to the called party upon receipt of each incoming call (column 6, line 64 – column 7, line 19). Screen display 92, shown in Figure 6, allows the called party to designate how the call is to be handled. This process, however, is contrary to claim 6, which recites “answering the call and placing the call on hold being performed **without input from the called party at the time of the call.**” Rydbeck clearly desires user input at the time of the call in order to satisfy the objects of Rydbeck.

Dutta was relied upon for allegedly teaching placing calls from important callers on hold when in certain modes. Even if Dutta is combined with Rydbeck, the result would be a communications device that requires user input upon receipt of a call to place the call on hold, as this feature is the core principle of Rydbeck. Any modification eliminating the user interaction taught by Rydbeck would be contrary to the express objects of Rydbeck, and nonobvious to one of ordinary skill in the art.

For at least the above reasons, claim 6 is patentable over Rydbeck in view of Dutta. Claims 7-10, 12, 13 and 21 depend from claim 6 and are patentable over Rydbeck in view of Dutta for at least the reasons advanced with respect to claim 6. Independent

claim 17 recites features similar to those discussed with reference to claim 6. Thus, claim 17 is patentable over Rydbeck in view of Dutta. Claims 18-20 and 22 depend from claim 17 and are patentable over Rydbeck in view of Dutta for at least the reasons advanced with respect to claim 17.

Claims 11 and 14-16 were rejected under 35 U.S.C. § 102 as being unpatentable over Rydbeck in view of Dutta and Okun. This rejection is traversed for the following reasons.

With respect to claim 11, Okun was relied upon for allegedly disclosing playing a message resident on a services node of a telecommunications network, but fails to cure the deficiencies of Rydbeck in view of Dutta discussed above with reference to claim 6. Claim 11 depends from claim 6 and is patentable over Rydbeck in view of Dutta and Okun for at least the reasons advanced with reference to claim 6.

Claim 14 recites features similar to those discussed above with reference to claim 6. Okun fails to cure the deficiencies of Rydbeck in view of Dutta discussed above with reference to claim 6. Claim 14 is patentable over Rydbeck in view of Dutta and Okun for at least the same reasons advanced with reference to claim 6. Claims 15-16 depend from claim 14 and are patentable over Rydbeck in view of Dutta and Okun for at least the same reasons.

In view of the foregoing remarks and amendments, Applicant submits that the above-identified application is now in condition for allowance. Early notification to this effect is respectfully requested.

If there are any charges with respect to this response or otherwise, please charge them to Deposit Account 06-1130.

Respectfully submitted,

By: 

David A. Fox
Registration No. 38,807
CANTOR COLBURN LLP
20 Church Street
22nd Floor
Hartford, CT 06103-3207
Telephone (860) 286-2929
Facsimile (860) 286-0115
Customer No. 36192

Date: June 20, 2008